

No. 7961-4Lab-74/98783.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal Haryana, Faridabad in respect of the dispute between the workmen and the management of M/s Crystic Resins India Pvt. Ltd., Faridabad.

BEFORE SHRI O.P. SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA, FARIDABAD

Reference No. 72 of 1974

between

THE WORKMEN AND THE MANAGEMENT OF M/S CRYSTIC RESINS INDIA
PVT. LTD., 19/6, MATHURA ROAD, FARIDABAD.

Present :—

Nemo, for the workmen.

Shri R. C. Sharma, for the management.

AWARD

The workmen of M/s. Crystic Resins India Pvt. Ltd., 19/6 Mathura Road, Faridabad had raised demands for the grant of dearness allowance and supply of uniforms which were not accepted by the management. This gave rise to an industrial dispute which was referred for adjudication to this Tribunal by the Governor of Haryana, in exercise of the powers conferred by clause (d) of sub section (1) of section 10 of the Industrial Disputes Act, 1947,—*vide order*, No. 1D/15487, dated 4th June, 1974 with the following terms of reference.

- (1) Whether the workmen are entitled to the supply of uniform ? If so, with what details ?
- (2) Whether the workmen are entitled to the grant of Dearness Allowance ? If so, at what rate and with what details ?

Usual notices were given to the parties who have arrived at an amicable settlement, as per terms and conditions given in the memorandum of settlement, dated 3rd of July, 1974 Exhibit M-1 which is signed by all the 28 workmen in the factory as per the statement of the authorised representative of the management Shri R. C. Sharma. The workmen and their authorised representative has not come forward to refute the settlement.

According to the settlement all the workmen have been given an *ad hoc* increase of Rs. 15 P. M. in their wages with effect from 1st of July, 1974 and they have given up the demand for the supply of uniforms.

In view of the above, no further proceedings are called for in the case and the award is made in terms and conditions of the memorandum of settlement, dated 3rd July, 1974 Exhibit M-1 which shall form parts of the award. In the circumstances, there shall be no order as to cost.

O. P. SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Dated 20th August, 1974.

No. 757, dated the 23rd August, 1974

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated 20th August, 1974.

O. P. SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

FORM H

(See Rule No. 58)

Memorandum of settlement under Section 18(1) of the Industrial Dispute Act, 1947.

Name of the Parties : 1. Management of Crystic Resins India (Private) Ltd., Mathura Road, Faridabad.

2. Workmen of Crystic Resins India (P) Ltd., Mathura Road, Faridabad.

Representing Management : Shri P. B. Jain, Director.

Shri H. S. Chaunay, Factory Manager.

Representing Workmen : Workmen Signatories in person.

Short Recital : The workmen served a demand notice and out of that 2 issues, one relating to Uniform and other to D.A. were referred by the Government of Haryana to the Industrial Tribunal, Haryana.

The Industrial Tribunal registered the dispute and issued summons to the parties to appear before him on 1st of August, 1974.

The workmen and the Management mutually negotiated the matter among themselves and finally a settlement was arrived at. Now in witness whereof the parties reduce the terms of the settlement in writing and affix their signatures.

Terms of the Settlements

1. (a) It is agreed between the parties that every workman whosever is on the muster-roll of the Factory, and drawing Salary/wages upto five hundred and still continuing the services on 1st July, 1974, is given an *ad hoc* increase of Rupees Fifteen only.

2. The workmen do not press for the issue of uniform and give up the same.

3. It is agreed by the workmen that this settlement is binding for a period of two years and during this period the workmen will not raise any such demand which may have financial implications. They further agree that they will maintain good relation and Industrial peace and discipline.

4. It is agreed between the parties that this settlement will be filed in court of Industrial Tribunal with the request to give its award in terms of this settlement. In addition, the copies of the settlement will be forwarded to the following :—

1. Conciliation Officer, Sector-7, Faridabad.

2. The Labour Commissioner, Haryana, Chandigarh.

3. The Secretary to the Government of Haryana, Department of Labour, Chandigarh.

This settlement is signed on this 3rd day of July, 1974 at Faridabad in the Factory of the Management.

Workmen

1. Mattan Lal (Sd.)
2. Ram Chettu (Sd.)
3. Babu Lal (Sd.)
4. Duli Chand (Sd.)
5. Chandra (Sd.)
6. Vimal Nayyar (Sd.)
7. Dhani Ram Singh (Sd.)
8. K. Kannan (Sd.)
9. P. G. Jhon (Sd.)
10. C. Paul Sharma (Sd.)
11. Ramji Lal (Sd.)
12. N. Aggarwal (Sd.)
13. S. P. Tyagi (Sd.)
14. Katwaru (Sd.)
15. Ram Parkash (Sd.)
16. Bhagwai Prashad (Sd.)
17. Harish Chandra (Sd.)
18. Surjan Prasad (Sd.)
19. Barwan Singh (Sd.)
20. Lajja Ram (Sd.)
21. G. D. Kalra (Sd.)
22. Naval Singh (Sd.)

Management

Prem Bhushan Jain

Witness 1. D. C. Sharma.
2. H. S. Chuhan.

- 23. Ram Chand (Sd.)
- 24. Ram Karan (Sd.)
- 25. Ram Bahadur (Sd.)
- 26. Jawahar Singh Yadav (Sd.)
- 27. Dalip Singh (Sd.)
- 28. Ram Chander (Sd.)

No. 7838-4L-74/28785.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workmen and the management of M/s Prestolite of India Ltd., Faridabad.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 105 of 1973

between

SHRI PURAN CHAND AND THE MANAGEMENT OF M/S PRESTOLITE OF INDIA LTD., MATHURA ROAD, FARIDABAD

Present: —

Shri Amar Singh Sharma, for the workman,
Shri S. L. Gupta for the management.

AWARD

Shri Puran Chand was in the service of M/s Prestolite of India Ltd., Mathura Road, Faridabad. His services were allegedly terminated by the management without any justification. He raised a demand for reinstatement but without success. This gave rise to an industrial dispute which, on receipt of the failure report from the Conciliation Officer, was referred for adjudication to this court by the Governor of Haryana, —*vide* order No. ID/FD/107-K-71/11165-69 dated 31st August 1972, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, with the following term of reference—

“Whether the termination of services of Shri Puran Chand was justified and in order? If not, to what relief is he entitled?

The parties were called upon to put in their pleadings and the only issue which arose for determination in the case was as per the term of reference stated above.

It is, however, not necessary to go into the merits of the case as an amicable settlement has been arrived at between the parties as per the terms and conditions given in the memorandum of settlement dated 23rd August, 1974 Exhibit M. 1 which is signed by Shri Puran Chand workman concerned and witnessed by S. Shri Pritam Pal, Jagan Nath co-workers and Shri Amar Singh Sharma, President of the General Engineering Mazdoor Union, Faridabad and the authorised representative of the workman concerned and by Shri O. P. Malhotra, Factory Manager on behalf of the management. According to the settlement, it has been mutually agreed that the workman is entitled to Rs 1072/52, in full and final settlement, of his entire claims against the management. This amount has been paid to him before the court against receipt duly signed by him copy Exhibit M. 2 on record. He has given up his right of reinstatement or re-employment with the Company.

The award is, therefore, made in terms of the above settlement holding that the workman concerned is not entitled to any other relief by way of reinstatement or re-employment or payment of dues. In the circumstances, there shall be no order as to costs.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 1077, dated 26th August, 1974

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

Dated the 23rd August, 1974.